

REMARKS

Reconsideration and allowance of the subject application are respectfully solicited.

Claims 1 through 9, 15 through 18, 43, 44, 57, and 59 through 63 are pending, with Claims 1, 8, 15, 43, 57, and 62 being independent. Claim 58 has been cancelled without prejudice. Claims 1, 8, 15, 43, and 57 have been amended, which amendments include the incorporation into Claim 57 of Claim 58. Claims 62 and 63 have been added.

Claims 1 through 9, 15 through 18, 43, 44, and 57 through 60 were rejected under 35 U.S.C. § 102 over U.S. Patent Nos. 5,264,892 (Nonaka, et al.) and 4,943,824 (Nabeshima, et al.). All rejections are respectfully traversed.

Claims 1, 8, 15, and 43 variously recite, inter alia, selecting at least one first measured distance-value from individually measured distance-values to the plurality of distance-measured regions, wherein the selection is effected, in response to a determination that a plurality of second measured distance-values of the individually measured distance-values are not smaller than a predetermined distance value, by excluding the plurality of second measured distance-values.

Claim 57 recites, inter alia, a selection circuit for selecting at least one measured distance-value for use in focusing by comparing a first measured distance-value of a plurality of individually measured distance-values to a predetermined distance value, wherein if the first measured distance-value is not smaller than the predetermined distance value, the selection circuit compares a second measured distance-value of the plurality of individually measured distance-values to the predetermined distance value and excludes the first measured

distance-value from being selected, wherein if the second measured distance-value is not smaller than the predetermined distance value, the selection circuit excludes the second measured distance-value from being selected and selects a third measured distance-value of the plurality of individually measured distance-values.

Claim 62 recites, inter alia, selecting, from individually-measured distance values to a plurality of distance-measured regions, at least one measured distance-value between the shortest distance-value where auto-focusing operation is possible and a predetermined value, regardless of the position of the plurality of distance-measured regions.

However, Applicant respectfully submits that neither Nonaka, et al. nor Nabeshima, et al. discloses or suggests at least the above-discussed claimed features as recited, inter alia, in Claims 1, 8, 15, 43, 57, and 62. It is further respectfully submitted that there has been no showing of any indication of motivation in the cited documents that would lead one having ordinary skill in the art to arrive at the above-discussed claimed features.

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from independent claims discussed above. In this regard, Applicant respectfully notes that the Official Action rejects all of the dependent claims without appearing to expressly address their claimed features, which rejection is respectfully traversed. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

Applicant submits that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

A handwritten signature in dark ink, reading "Daniel Glueck". The signature is written in a cursive style with a horizontal line underneath it.

Attorney for Applicant

Daniel S. Glueck

Registration No. 37,838

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200
DSG/tmc